



MIRANDA SLONE SKLARIN VERVENIOTIS LLP

MICHAEL A. MIRANDA*
STEVEN VERVENIOTIS
ONDINE SLONE
RICHARD S. SKLARIN^o
MAURIZIO SAVOJARDO
ANDREW B. KAUFMAN[±]
LAWRENCE S. WASSERMAN*
LOUISE FASANO
LAURA ALTO
RICHARD B. EPSTEIN

THE ESPOSITO BUILDING
240 MINEOLA BOULEVARD
MINEOLA, NY 11501
TEL. (516) 741-7676
FAX (516) 741-9060

WWW.MSSSV.COM

BRANCH OFFICES:
WESTCHESTER, NY
NEW YORK, NY
WOODBIDGE, NJ

SENIOR COUNSEL
ABRAHAM WARMBRAND
GABRIELLA CAMPIGLIA
KENNETH MASTELLONE^o

ASSOCIATES
BRANDON H. DORMAN
WALDER THAME-TURNER^o
MICHAEL KHAN

*ALSO ADMITTED IN NEW JERSEY
oALSO ADMITTED IN FLORIDA
±ALSO ADMITTED IN DISTRICT OF COLUMBIA
o RESIDENT IN WESTCHESTER

WRITER'S E-MAIL:
sverveniotis@msssv.com

WRITER'S DIRECT DIAL:
516-741-8488

The request for an extension of 60 days time to serve is granted. All discovery deadlines are adjourned until the scheduling conference which will occur on June 6, 2025 at 3 p.m. in Courtroom 15C, 500 Pearl Street, New York, NY 10007 before Judge Lewis J. Liman.. Parties are directed to file a revised Case Management Plan and Scheduling Order by June 5, 2025.

May 9, 2025

SO ORDERED.

LEWIS J. LIMAN
United States District Judge

VIA ECF

Honorable Judge Lewis Liman
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, NY 10007

Re: Penn-Star Ins. Co. v. All Star, 1 LLC et al.
Docket No: 1:24-cv-07311-LJL
Our File No: 24-155

Dear Judge Liman:

This firm is counsel for the plaintiff, Penn-Star Insurance Company ("Penn-Star"), and we write to the Court to provide a status update, to request an extension of time to serve the defendant Rene Bravo Zorilla as set forth in the February 10, 2025 Order and to request a conference with Your Honor. All parties who have appeared consent to the extension and request for an adjournment as discussed below.

This is a declaratory judgment action in which the plaintiff Penn-Star seeks a declaration as to its denial of coverage and rescission of policy number PAV0432400 issued by the plaintiff to All Star and Star Rubbish Removal LLC for the policy period of April 4, 2023 to April 4, 2024 (the "Policy") with respect to several lawsuit filed against All Star and/or Star Rubbish Removal LLC. As set forth in the complaint, the parties from those suits have been named as defendants in this action as those matters document that All Star was working outside of the type of work represented to Penn-Star as to the insured's business and also give rise to grounds for disclaimers under various provisions of the Policy.

MIRANDA SLONE SKLARIN VERVENIOTIS LLP

LETTER TO JUDGE LIMAN RE STATUS LETTER

MAY 7, 2025

PAGE 2 OF 2

Notwithstanding our efforts, the defendant Rene Bravo Zorilla has not yet been served, in that we could not locate same, and we are continuing our efforts to locate him. Accordingly, we ask for a 60 day extension of the May 9, 2025 deadline (July 8, 2025) to locate him and effectuate service.

The plaintiff has also been in communication with a representative for the insured, All Star, who indicated that they are in the process of hiring an attorney to appear in the coverage case. While none has appeared in this lawsuit to date, we are continuing our efforts to reach out to the insured to get them to appear.

Accordingly, the plaintiff respectfully requests a 60 day adjournment to serve Rene Bravo Zorilla and to discuss with the Court an extension of discovery deadlines at the conference which is scheduled for June 27, 2025. Given the limited discovery and the belief that All Star will be appearing in the lawsuit, it is requested that the current deadlines set forth in the February 10, 2025 Order – May 12, 2025 deposition deadline, June 10, 2025 fact discovery deadline, July 25, 2025 expert deposition and discovery deadline and August 8, 2025 motion deadline – be adjourned, and that the parties be permitted to submit a new case management plan and scheduling order after the next conference and/or once All Star has appeared. This is the parties' first request for an adjournment of the deadlines set forth in the case management plan and scheduling order and second request for an extension of time to serve Rene Bravo Zorilla. The previous request for an extension to serve Zorilla was granted.

Respectfully Submitted,
MIRANDA SLONE SKLARIN VERVENIOTIS LLP

s/Steven Verveniotis

Steven Verveniotis

CC:

To all parties via ECF